

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Label No. EV809100436US, on the date shown below in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: 1-3-2007

Signature:

(Delina Andriolo)

Docket No.: 2422(225436)
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Scott Happe et al.

Application No.: 10/820,971

Confirmation No.: 9749

Filed: April 8, 2004

Art Unit: 1645

For: METHODS AND COMPOSITIONS FOR
THE DETECTION OF BACTERIAL
SPECIES

Examiner: N. Archie

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed August 2, 2006, applicant hereby elects **Group III, claims 28-105** for continued examination, with traverse.

The Examiner has also required a species election to one of SEQ NOs: 1, 2, 3, or 4. In response to the species election set forth in the Office Action, applicant hereby elects **SEQ ID NO:2**, with traverse. It is applicant's understanding that upon allowance of a generic claim, applicant will be entitled to consideration of other claims that incorporate all the limitations of the allowed generic claim.

A four month extension of time to respond to the Restriction Requirement is respectfully requested. A Petition for Extension of Time and the appropriate fee are being filed concurrently with this Response.

Dated: January 3, 2007

Respectfully submitted,

By

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